

AMENDED IN SENATE JUNE 27, 2005

AMENDED IN ASSEMBLY APRIL 26, 2005

AMENDED IN ASSEMBLY APRIL 13, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1723

Introduced by Assembly Member La Malfa

February 22, 2005

An act to add Section 25302.5 to the Public Resources Code, relating to energy resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 1723, as amended, La Malfa. Integrated energy policy report: load loss *or addition*.

Existing law requires the State Energy Resources Conservation and Development Commission to prepare an integrated energy policy report every 2 years. Existing law requires the report to contain an overview of major energy trends and issues facing the state, including, but not limited to, supply, demand, pricing, reliability, efficiency, and impacts on public health and safety, the economy, resources, and the environment.

This bill would require each ~~electrical corporation and each existing local publicly owned electric utility, as defined, entity~~ that ~~services~~ *serves or plans to serve electricity* to retail customers ~~and is required by the commission to file load forecasts~~, to provide the commission with its forecast, as part of each integrated energy policy report, of (1) the amount of *its* forecasted load that may be lost ~~to or added by a~~ community choice aggregation aggregator, ~~acquisition of territory by~~ an existing local publicly owned electric utility, or ~~creation of a new a~~

newly formed publicly owned utility, and (2) the load that will be served by an energy service provider. The bill would require the commission to perform ~~an a nonbinding~~ informational assessment in the service territory of each electrical corporation of the loss *or addition* of load specified in (1) and submit the results of that assessment to the Public Utilities Commission. *The bill would authorize the commission to exempt from these forecasting requirements a local publicly owned electric utility that is not planning to acquire additional load previously served by an electrical corporation.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25302.5 is added to the Public
2 Resources Code, to read:
3 25302.5. (a) As part of each integrated energy policy report
4 required pursuant to Section 25302, each ~~electrical corporation~~
5 *entity that serves or plans to serve electricity to retail customers,*
6 *including, but not limited to, electrical corporations, nonutility*
7 *electric service providers, community choice aggregators, and*
8 ~~each existing~~ local publicly owned electric ~~utility~~ *utilities*, as
9 defined in subdivision (d) of Section 9604 of the Public Utilities
10 Code, ~~that serves retail customers and is required by the~~
11 ~~commission to file load forecasts~~, shall provide the commission
12 with its forecast of both of the following:
13 (1) The amount of *its* forecasted load that may be lost ~~to~~ *or*
14 *added by* any of the following:
15 (A) ~~Community choice aggregation~~ *A community choice*
16 *aggregator.*
17 (B) ~~Acquisition of territory by an~~ *An* existing local publicly
18 owned electric utility, as defined in subdivision (d) of Section
19 9604 of the Public Utilities Code.
20 (C) ~~Creation of a new~~ *A newly formed* publicly owned utility.
21 (2) Load that will be served by an energy service provider.
22 (b) The commission shall perform an assessment in the service
23 territory of each electrical corporation of the loss *or addition* of
24 load described in this section and submit the results of the

1 assessment to the Public Utilities Commission. *The assessment*
2 *shall not be binding on the Public Utilities Commission.*

3 (c) The assessment performed by the commission pursuant to
4 subdivision (b) is for informational purposes only and shall not
5 be considered conclusive for purposes of *resource and*
6 *procurement planning, or determining cost recovery or exit fees.*

7 (d) *Notwithstanding subdivision (a), the commission may*
8 *exempt from the forecasting requirements in that subdivision a*
9 *local publicly owned electric utility, as defined in subdivision (d)*
10 *of Section 9604 of the Public Utilities Code, that is not planning*
11 *to acquire additional load previously served by an electrical*
12 *corporation within the forecast period provided by the*
13 *commission pursuant to Section 25303.*